

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2022

COMMITTEE OF ORIGIN: ENVIRONMENTAL PROTECTION

COMMITTEE VOTE:	9 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Manhattan Community Board 1 Review of the Lower Manhattan Coastal Resiliency Battery Project for the Public Design Commission

WHEREAS: Manhattan Community Board 1's (CB 1) Environmental Protection Committee convened a public meeting to hear a presentation of the Lower Manhattan Coastal Resiliency (LMCR) proposal by the Mayor's Office of Climate & Environmental Justice (MOCEJ) the Department of Parks & Recreation (DPR), and the Stantec Corporation on July 18th, 2022; and

WHEREAS: The design review was largely accepted by the committee without comment, save for the area that would be reconfigured for DPR storage in service of parks maintenance within the district that includes the Battery and the rest of CD 1's Parks that are under their jurisdiction; and

WHEREAS: This storage area is in the former footprint of a food & beverage kiosk type structure that will be eliminated with the reconstruction of the park; and

WHEREAS: The rendering depicted a storage area that consisted of high fencing with low plantings surrounding three sides, which for the most part the committee agreed was not optimally aesthetically pleasing; and

WHEREAS: The committee agreed the aesthetics could be improved through the use of vertical plantings, which would use natural edges to mask the currently selected fencing material and color, and

WHEREAS: The Committee questioned the need to create a district-wide storage facility with parking for park employees who do not necessarily work in the Battery and recommended DPR consider other locations and opportunities to work with another agency to site storage containers within the confines of CD 1; now

THEREFORE  
BE IT  
RESOLVED

THAT: Manhattan Community Board 1 supports the LMCR project design and thanks MOCEJ for working with the community and the Battery Park Conservancy to arrive at this design which leaves the Woodlands area, urban farm, bosque and garden bikeway intact; and

BE IT  
FURTHER  
RESOLVED

THAT: CB 1 urges PDC to encourage DPR to consider options to mask the storage area fencing and improve the proposed storage area in the final design.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2022

COMMITTEE OF ORIGIN: ENVIRONMENTAL PROTECTION

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Brownfield Cleanup Program Application for 111 Washington Street / 8 Carlisle Street in Lower Manhattan

WHEREAS: Manhattan Community Board 1 (CB 1) received notice on June 29, 2022 that the Carlisle New York Apartments, LLC filed an application for a Brownfield Cleanup Program by Kasser Scrap Metal and Rector Cleaners Site at 111-121 Washington Street; and

WHEREAS: The site used to serve a variety of uses, included automotive and there is at least one known underground storage tank within the property; and

WHEREAS: One of the adjacent properties is an older tenement building that neighborhood residents consider to be a sensitive site. CB1 wants ensure that every effort is made to keep the neighborhood residents fully informed and involved however possible; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 asks the New York State Department of Environmental Conservation to exercise great caution with this determination ensuring that any proposed remediation and development will provide an unquestionable and quantifiable benefit to the neighborhood and community at large; and

BE IT

FURTHER

RESOLVED

THAT: CB1 recommends that all relevant State and City agencies include the neighborhood residents, and specifically those at 109 Washington Street in all communication and future meetings concerning any next steps with regards to any potential cleanup and development of these sites at 111 Washington Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2022

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused

**WITHDRAWN**

RE: Removal of Kenisha Mahajan as a board member

WHEREAS: Section 2800(b) of the New York City Charter states that “an appointed member may be removed from a community board for cause, which shall include substantial nonattendance at board or committee meetings over a period of six months, by the Borough President or by a majority vote of the community board;” and

WHEREAS: Section I (A)(2) of the Community Board 1 Bylaws states that “members may be removed for cause by the Borough President or by a majority vote of Community Board 1. Grounds for removal include: a. Three consecutive unexcused absences from regular meetings of the Board or from more than four of the regular monthly meetings of the Board called in any one year (July 1-June 30)”; and

WHEREAS: Kenisha Mahajan was appointed as a member of CB 1 by the Manhattan Borough President in May 2022; and

WHEREAS: CB 1 has made several attempts to contact her by phone and email with no response; and

WHEREAS: Kenisha Mahajan has attended zero board meetings with none of these absences being excused; now

WHEREAS: The Borough President office has reached out to her on July 8, 2022 and she indicated she was still interested in remaining as a member, and

WHEREAS: CB 1 staff reached out to her on July 13, 2022 and July 21, 2022 and still unresponsive; now

THEREFORE  
BE IT  
RESOLVED

THAT: Following consultation with the Manhattan Borough President's Office. CB1 hereby removes Kenisha Mahajan as a member of CB1 pursuant to Section

2800(b) of the New York City Charter and Section I(A)(2) of the Community Board 1 Bylaws, the Executive Committee of CB1; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 requests that the Manhattan Borough President's Office appoint another member of CB1 to replace Kenisha Mahajan.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2022

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 108 South Street, application for a liquor license for DiFara 2 LLC. d/b/a DiFara Pizza

WHEREAS: The applicant, DiFara 2 LLC d/b/a DiFara Pizza at 108 South Street, is applying for an on-premise Beer and Wine License; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are no establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The hours of operation will be 12:00PM to 10:00PM Sunday, 12:00PM - 1:00AM Monday through Saturday, the establishment will have no french doors or windows; and

WHEREAS: The establishment is a restaurant with a total of 2,200 square feet, there will be a capacity of 100 people and 25 tables; and

WHEREAS: The establishment is considered a “large venue” an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; and

WHEREAS: The applicant has represented that they will use the same sanitation carting service as their next door establishments; and

WHEREAS: The applicant has represented they will only have two 20watt speakers installed behind the counter and middle of the room for recorded background music and 2 TVs; and

WHEREAS: The applicant has represented they will not apply for a sidewalk liquor license until after at least a year; and

WHEREAS: The applicant has agreed that there will be no amplified music, DJ, dancing, events or scheduled performances; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 may evaluate any alteration and/or renewal requests against the large venue stipulation requirements, and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their on-premise liquor license for DiFara 2 LLC d/b/a DiFara Pizza at 108 South Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2022

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	6 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 32 Avenue of the Americas, an application to remove original doors, add exterior lighting and interior modifications

WHEREAS: The building encompasses the entire block fronting on Sixth Avenue, Church, Lispenard, and Walker Streets, and

WHEREAS: From the street, the building’s walls feel like an impenetrable fortress of brick and brass, and

WHEREAS: All the original brass doors remain in place around the entire ground floor, and

WHEREAS: The original design of these doors does not provide easy barrier free access anywhere to the building lobby, and

WHEREAS: The building owner should drastically improve barrier free access to the lobby and any other spaces by reusing the maximum number of original doors, and

WHEREAS: A proposal to remove the original doors on Sixth Avenue is not in keeping with the most basic preservation standards, and

WHEREAS: The lobby is well-known for its terrazzo floors, mosaics, metal work and other signature Walker touches, and

WHEREAS: The proposed interior lighting depends on the removal of original terrazzo flooring, and

WHEREAS: Improvements in lighting could surely be made without drilling into original materials and most likely by modifying original lighting fixture lamps, lens, reflectors, etc., and

WHEREAS: We are fortunate to have many of the finest examples of Ralph Thomas Walker buildings in lower Manhattan – many of them interior landmarks and therefore it is critical we maintain a strict policy of preserving and limiting disturbance of all original materials, and

THEREFORE  
BE IT  
RESOLVED

THAT: CB 1 recommends the Landmarks Preservation Commission reject any proposal for 32 Avenue of Americas that consists of the removal of any original materials,



that the applicant work with staff to improve accessibility into the building while using as many of the existing doors (minus vestibules) as possible and that any new doors, needed for accessibility, reflect the style and materials used in the original doors.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2022

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 70 Pine Street, an application to add interior partitions, lounge seating and other decorations to the interior landmark lobby

WHEREAS: The 70 Pine Street lobby is well-known for its grand marble floors and walls, Art-Deco light fixtures and embellishments, and

WHEREAS: The lobby is an interior landmark shared by the businesses on the first floor and the residential lobby, and

WHEREAS: The applicant wishes to activate a portion of the lobby corridor for use by patrons of the stores on the periphery, and

WHEREAS: The lobby stair railing is a highly contributing design feature. The three proposed free-standing walls block the view of the 2 original lobby stairs are therefore too tall, and

WHEREAS: The same walls and seating disrupt the fluted marble wall pattern sweeping around the first floor and fancy base, field and crown details, and

THEREFORE

BE IT

RESOLVED

THAT: CB 1 recommends the Landmarks Preservation Commission reject the modifications to the 70 Pine Street Lobby because the location and height of the proposed kiosk-like structures disrupt the line of sight to too many of the historically significant features of the original interior landmark lobby.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	1 Recused

RE: 23 Park Place, application for a liquor license for Brickyard Craft Kitchen and Bar Inc.

WHEREAS: The applicant, Brickyard Craft Kitchen and Bar Inc at 23 Park Place, is applying for an on-premise Liquor, Wine, Beer and Cider License; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The hours of operation will be 12:00PM to 10:00PM Sunday, 12:00PM - 12:00AM Monday through Saturday, additionally based on comments from community residents regarding a history of noise in the later hours, windows and the doors on Murray Street will be closed at 9:00PM; and

WHEREAS: The establishment is a full service restaurant with a total of 6,000 square feet, there will be a capacity of 174 people and 26 tables; and

WHEREAS: The establishment is considered a “large venue” an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; and

WHEREAS: The applicant has represented that there will be recorded background instrumental music from minimal speakers with low amperage and 40 TVs; and

WHEREAS: The applicant will employ the use of a staff member to service and monitor outside to ensure a crowd does not accumulate outside the establishment and surrounding area; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license for at least a year; and

WHEREAS: The applicant has agreed that there will be no DJ's, dancing, events or scheduled performances; and

WHEREAS: The applicant has agreed to discuss and coordinate with nearby restaurants on Murray Street, to secure the same sanitation company currently being used, and all the refuse will be picked up at the same time; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their on-premise liquor license for Brickyard Craft Kitchen and Bar Inc at 23 Park Place unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	1 Recused

RE: 41 Murray Street, application for a liquor license for Murray 41 LLC d/b/a Boss Tweed

WHEREAS: The applicant, Murray 41 LLC d/b/a Boss Tweed at 41 Murray Street, is applying for an on-premise Liquor, Wine, Beer and Cider License; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The hours of operation will be 11:00AM to 10:00PM Sunday, 11:00AM - 12:00AM Monday through Wednesday, 12:00PM to 1:00 AM Thursday and Saturday, additionally windows and doors will be closed at 10PM; and

WHEREAS: The establishment is a full service restaurant with a total of 1,250 square feet, there will be a capacity of 190 people and 30 tables; and

WHEREAS: The establishment is considered a “large venue” an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; and

WHEREAS: The applicant has represented that there will be 8 TVs, which will only be used as monitors for corporate events and will not in any way be used like that of a sports bar and there will only recorded background music from minimal speakers with low amperage; and

WHEREAS: The applicant will use personnel for security on Thursday through Saturday; and

WHEREAS: The applicant will not have outdoor seating; and

WHEREAS: The applicant has agreed that there will be no amplified music, DJ, dancing, events or scheduled performances; and

WHEREAS: The applicant has agreed to discuss and coordinate garbage pickup with nearby restaurants; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their on-premise liquor license for Murray 41 LLC d/b/a Boss Tweed at 41 Murray Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	1 Opposed	5 Abstained	1 Recused

RE: 121 Fulton Street, application for a liquor license for Theta 121 Corp d/b/a Blue Haven South

WHEREAS: The applicant, Theta 121 Corp d/b/a Blue Haven South at 121 Fulton Street, is applying for an on-premise Liquor, Wine, Beer and Cider License; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The hours of operation will be 11:00AM to 12:00AM Sunday, to be extended to 2AM only on Sundays that precede an observed Monday holiday, 12:00PM - 12:00AM Monday through Wednesday, 12:00PM to 1:00AM Friday and Saturday, the applicant will return to committee in a year to review hours, additionally windows and doors will be closed at 10PM; and

WHEREAS: The establishment is a full service restaurant with a total of 8,000 square feet, there will be a capacity of 270 people and 52 tables; and

WHEREAS: The establishment is considered a “large venue” an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; and

WHEREAS: The applicant has agreed to have COVID outdoor street seating restricted to 10 additional patrons based on the committee's concern for clearance on Fulton Street, therefore the applicant will provide an extra foot of clearance over what the city regulations currently allows; and

WHEREAS: The applicant has represented that there will be TVs, which will only be used as monitors for corporate events and will not in any way be used like that of a sports bar; and

WHEREAS: The applicant will have a DJ whose sole responsibility is playing only recorded background music from the sound equipment on premises, 2 crown audio txi power amplifiers 2002 and 14 electro voice passive two-way 400 watt installation speakers suspended from the ceiling; and

WHEREAS: The applicant has agreed that there will be no amplified music, dancing, events or scheduled performances; and

WHEREAS: The applicant will employ up to 4 personnel for security; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against the large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their on-premise liquor license for Theta 121 Corp d/b/a Blue Haven South at 121 Fulton Street, **unless** the applicant complies with the limitations and conditions set forth above.



COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	1 Recused

RE: 127 John Street, application for a liquor license for Hey Thai Inc. d/b/a Hey Thai.

WHEREAS: The applicant, Hey Thai Inc. d/b/a Hey Thai at 127 John Street, is applying for an on-premise Beer and Wine License; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The hours of operation will be 11:00AM to 10:00PM Sunday, 11:00AM - 12:00AM Monday through Saturday, additionally windows and doors will be closed at 10PM; and

WHEREAS: The establishment is a restaurant with a total of 1300 square feet, there will be a capacity of 74 people and 16 tables; and

WHEREAS: The applicant has represented that they will use the same sanitation carting service as their next door establishments and will update the bathroom to be ADA compliant; and

WHEREAS: The applicant has represented they will only have recorded background music; and

WHEREAS: The applicant has represented they will not apply for a sidewalk liquor license until after at least a year; and

WHEREAS: The applicant has agreed that there will be no amplified music, DJ, dancing, events or scheduled performances; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of their on-premise liquor license for Hey Thai Inc. d/b/a Hey Thai at 127 John Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	1 Recused

RE: 150 Nassau Street, renewal for a liquor license for DP Hospitality Group LLC  
d/b/a Brooklyn Chop House

WHEREAS: The applicant, DP Hospitality Group LLC. d/b/a Brooklyn Chop House at 150  
Nassau Street, is applying for a renewal of their on-premise Liquor, Wine, Beer,  
and Cider License; and

WHEREAS: The Community Board has received various complaints surrounding the Brooklyn  
Chop House establishment's operations and noise levels; and

WHEREAS: The applicant has represented they will manage the noise level and continue to  
work with the authorities and residents to resolve any issues amicably; and

WHEREAS: The applicant has represented that there will be no more use of cones obstructing  
the public street parking for the primary use of their valet; and

WHEREAS: The applicant has represented that the building's residents will be provided with  
an on premise contact person such as the Brooklyn Chop House manager, to  
resolve any complaints; and

WHEREAS: The applicant has represented that the hours of closing is at 12:00 AM on  
weekdays and 1:00AM on weekends, no later than the hours of operation agreed  
upon during the most recent resolution and signed stipulation agreement; and

WHEREAS: The applicant has represented that they will have personnel at the front door  
during closing and will be more proactive in moving exiting patrons off the street;  
and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of the renewal of their on-premise liquor license for DP Hospitality Group LLC d/b/a Brooklyn Chop House at 150 Nassau Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2022

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	14 In Favor	20 Opposed	7 Abstained	0 Recused

RE: Hazardous obstruction by vehicles and civilian complaints to the Department of Transportation for hazardous obstruction violations

WHEREAS: Int 0501-2022<sup>1</sup> would amend the administrative code of the City of New York to allow civilian complaints to the Department of Transportation (DOT) for hazardous obstruction violations by motor vehicles; and

WHEREAS: Int 0501-2022, co-sponsored by Christopher Marte, the council member representing all of Manhattan Community District 1 (MCD1), is a re-introduction of Int 2159-2020 as was requested by Manhattan Community Board 1 (MCB1);<sup>2</sup> and

WHEREAS: This bill would create a new violation and civil penalty for hazardous obstruction by a vehicle of a bicycle lane, a bus lane when bus restrictions are in effect, a sidewalk, a crosswalk or a fire hydrant when that vehicle is within a 1,320 foot radius from a school building, entrance or exit; and

WHEREAS: The law, as proposed, would allow citizens to report illegal parking in bike lanes, bus lanes, and crosswalks, at a fire hydrant and on sidewalks; including parking by city vehicles and private vehicles with a city-issued placard; and

WHEREAS: The hazardous obstruction law addresses significant problems caused by motor vehicles including the slowing bus service, forcing cyclists into traffic, which has resulted in preventable deaths and injuries to cyclists, reducing sidewalk space for pedestrians and slowing hydrant access by members of the New York Fire Department (FDNY); and

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<sup>1</sup><https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=5669096&GUID=13B0175F-8FD2-4728-9734-2ACEB6D2DC5C&Options=ID|Text|&Search=restler>

<sup>2</sup> <https://www1.nyc.gov/assets/manhattancb1/downloads/pdf/resolutions/22-04-26.pdf>, pp 17-19.

- WHEREAS: In 2019, researchers from Hunter College/CUNY studied 42 city bike lanes, both protected and not, in every borough but Staten Island and found an average of 3.00 vehicular obstructions per 10 city blocks,<sup>3</sup> a very significant threat to cyclist safety; and
- WHEREAS: Int 0501-2022 would supplement the legislation on placard abuse and dangerous parking that the NYC Council passed in 2018 and in 2019 by addressing the lack of enforcement by the NYC Police Department (NYPD). As of May, the First Precinct had issued just one ticket for violating a bike lane in 2022;<sup>4</sup> and
- WHEREAS: Despite the low number of tickets issued by the NYPD, reports to 311 regarding the types of illegal parking included in this bill have been higher for MCD1 in 2022 through June compared to monthly data from 2016-2021. This bill is needed to provide a means of enforcement to address citizen complaints; and
- WHEREAS: Int 0501-2022 would require the Department of Transportation (DOT) to create a civilian reporting program where civilians may submit complaints and the required supporting evidence for alleged violations to the DOT; and
- WHEREAS: The proposed legislation imposes a \$175 penalty for each such violation. Such violations would be returnable to the Office of Administrative Trials and Hearings (OATH), where tickets could be challenged; and
- WHEREAS: Where DOT brings a citizen filed complaint before OATH using the citizen's evidence or information, OATH would award the complainant 25 percent of any proceeds collected; and
- WHEREAS: Illegal parking, including by placard misuse by city employees, is an issue that is widely documented and condemned on social media,<sup>5,6,7</sup> and in numerous Manhattan Community Board 1 (MCB1) resolutions; and
- WHEREAS: 311 has been found to be an ineffective solution for enforcement of parking violations, as it leaves ultimate enforcement authority with the NYPD who have been closing complaints without an investigation of any action;<sup>8</sup> and

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<sup>3</sup><https://www.hunter.cuny.edu/communications/repository/files/Bike%20Lanes%20or%20Blocked%20Lanes%20Study.pdf/>

<sup>4</sup> <https://www1.nyc.gov/site/nypd/stats/traffic-data/traffic-data-moving.page#citywide>

<sup>5</sup> <https://twitter.com/placardabuse>, [https://twitter.com/search?q=nyc%20illegal%20parking&src=typed\\_query](https://twitter.com/search?q=nyc%20illegal%20parking&src=typed_query), and

<sup>6</sup> <https://twitter.com/placardabuse/status/135552475189833730>

<sup>7</sup> <https://twitter.com/noneck/status/1499398865623011330>

<sup>8</sup> Coburn J, "Ignored, Dismissed: How the NYPD ignores 311 complaints about driver misconduct", *Streetsblog*; <https://nyc.streetsblog.org/2021/10/21/ignored-dismissed-how-the-nypd-neglects-311-complaints-about-driver-misconduct/>

WHEREAS: Parking abuse by NYPD employees is so well-known and pervasive that Streetsblog does an annual March Parking Madness series of articles to document and rate the worst abuse by an NYPD precinct;<sup>9</sup> and

WHEREAS: Citizen reporting of illegal parking by city-owned vehicles and employees with city-issued placards, could provide some much needed data about the scale of this problem and specifics about what agencies or individuals are responsible; and

WHEREAS: Int 0501-2022 is modeled after an existing law, which authorizes citizen reporting of idling by motor vehicles.<sup>10</sup> That law has not led to any widespread reports of violence against those who have filmed and reported violators; and

WHEREAS: Reported @Reported\_NYC<sup>11</sup> on Twitter allows citizen reporting (using #nyctaxi), so that taxis can be held accountable for illegal parking; and

WHEREAS: Witnesses, reports and film from the public are commonly used by the NYPD in order to identify suspects,<sup>12</sup> which supports that value of using the public to help with enforcement; and

WHEREAS: Both the Department of Homeland Security's See Something, Say Something<sup>13</sup> and New York State's See Something, Send Something<sup>14</sup> campaigns rely on information from the public for effective enforcement, and the City of New York already encourages citizens to report parking violations through 311;<sup>15</sup> and

WHEREAS: Citizen reporting is a narrowly-tailored and innovative solution that will finally begin to tackle the issues of (1) pedestrian safety, (2) cyclist safety, (3) the NYPD's failure to ticket their own or to spot problems in a timely way, (4) impeded bus service, (5) double parking and the resultant traffic delays and (6) making use of the public to effectively report illegal obstructions; now

THEREFORE  
BE IT  
RESOLVED

THAT: Manhattan Community Board 1 (MCB1) thanks our council member, the Honorable Christopher Marte for co-sponsoring Int 0501-2022 and encourages him to ensure that citizen reporting of hazardous obstructions becomes a reality; and

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<sup>9</sup>Kuntzman, G, "Tuesday's Headlines: It's Time for March (Cop Parking) Madness", Streetsblog, Feb 22, 2022; <https://nyc.streetsblog.org/2022/02/22/tuesdays-headlines-its-time-for-march-cop-parking-madness/>

<sup>10</sup> <https://www1.nyc.gov/site/dep/environment/idling-citizens-air-complaint-program.page>

<sup>11</sup> [https://twitter.com/Reported\\_NYC](https://twitter.com/Reported_NYC)

<sup>12</sup> Wilson M, Southall A, Newman A. "After a Gunman Seemed to Vanish, These New Yorkers Helped End the Search," *The New York Times*, April 16, 2022. <https://www.nytimes.com/2022/04/16/nyregion/brooklyn-subway-shooter-nypd-manhunt.html>

<sup>13</sup> <https://www.dhs.gov/see-something-say-something>

<sup>14</sup> <https://www.ny.gov/programs/see-something-send-something>

<sup>15</sup> <https://portal.311.nyc.gov/article/?kanumber=KA-01986>

BE IT  
FURTHER  
RESOLVED

THAT: MCB1 insists that Mayor Eric Adams sign Int 0501-2022 to allow citizen reporting of hazardous parking obstructions, which have plagued our district for too long; and

BE IT  
FURTHER  
RESOLVED

THAT: If the legislation is enacted, MCB1 urges the Department of Transportation to promptly promulgate and publish sensible rules for the filing of civilian complaints, including rules that would prevent fines for transient violations that are not a serious threat to public safety (e.g., a vehicle with a driver in front of a fire hydrant).



COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2022

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	4 In Favor	2 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	1 Recused

RE: Lower Manhattan Pedestrian Priority Street Study

WHEREAS: Prioritizing pedestrians in the Financial District (FiDi) has long been proposed and sought by the City of New York,<sup>16</sup> the Downtown Alliance,<sup>17,18</sup> the Financial District Neighborhood Association (FDNA)<sup>19</sup> and Manhattan Community Board 1 (MCB1);<sup>20,21</sup> and

WHEREAS: The many studies and articles not only favored changes to prioritize pedestrians on the historic street grid in FiDi, but also share concerns and suggestions for many of the challenges including garbage, narrow sidewalks, road safety, lack of curb access, freight deliveries, the NYPD’s security measures, etc.; and

WHEREAS: In June 2019 the Department of Transportation (DOT) announced the initiation of a traffic study for the Financial District, which included the \$500,000 in DOT’s budget that Manhattan Community District 1 (MCD1) had secured from Councilmember Margaret Chin’s discretionary budget; and

WHEREAS: A 2019 letter from the MCB1 Chair urged the DOT “to analyze how our unique streetscape is utilized, the interaction of vehicular and pedestrian traffic and then help us to explore options for improvement.” The critical step in this process is defining the scope of this study and including CB1 as an integral partner;<sup>22</sup> and

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<sup>16</sup> [https://www.streetsblog.org/wp-content/uploads/2014/07/1997\\_DCP\\_LowerManhattanPedStudy.pdf](https://www.streetsblog.org/wp-content/uploads/2014/07/1997_DCP_LowerManhattanPedStudy.pdf), City of New York, *Lower Manhattan Pedestrianization Study* (1997)

<sup>17</sup> Meyer D, “Downtown Alliance calls for a Pedestrianized Financial District”, *Streetsblog* (2018) <https://nyc.streetsblog.org/2018/05/15/downtown-alliance-calls-for-a-pedestrianized-financial-district/#:~:text=Now%20the%20Downtown%20Alliance%20wants,motorists%20and%20cyclists%20%5BPDF%5D>.

<sup>18</sup> A More Welcoming Wall & Broad: A Vision for Improving the Stock Exchange District. <https://www.scribd.com/document/379337706/stock-exchange-district-report>

<sup>19</sup> [https://docs.wixstatic.com/ugd/9e36dc\\_08c7276e1b5c42dfb28abc4fcee1eba4.pdf](https://docs.wixstatic.com/ugd/9e36dc_08c7276e1b5c42dfb28abc4fcee1eba4.pdf), *Make Way for Lower Manhattan* (2019).

<sup>20</sup> <https://www1.nyc.gov/assets/manhattancb1/downloads/pdf/resolutions/15-07-28.pdf>, pp 3-4

<sup>21</sup> <https://www1.nyc.gov/assets/manhattancb1/downloads/pdf/resolutions/21-10-26.pdf>, pp 47-49.

<sup>22</sup> [https://www1.nyc.gov/assets/manhattancb1/downloads/pdf/testimonies/LM%20Transpo%20Study%20Letter\\_6.2019.pdf](https://www1.nyc.gov/assets/manhattancb1/downloads/pdf/testimonies/LM%20Transpo%20Study%20Letter_6.2019.pdf)

- WHEREAS: Due to COVID-19 and its effect on city services, the DOT’s Lower Manhattan Pedestrian Priority Streets Study has been on hold since the governor announced a pause in March 2020. Since then, MCB1 has not learned of any proposals or plans to reactivate or move this project forward; and
- WHEREAS: One of five strategies in Mayor Adam’s “Rebuild, Renew, Reinvent: a Blueprint for New York City’s Economic Recovery”<sup>23</sup> is to restart the city’s economic engines and reactivate the public realm. This includes tackling public safety and quality of life concerns to strengthen corridors where New Yorkers live, work, and play and reviving the city’s vitality and dynamism by activating public spaces; all issues that strongly support finally prioritizing pedestrians in FiDi; and
- WHEREAS: At first reluctant to pedestrianize areas, the commercial interests on Broadway became ‘enthusiastic’ about the end result, suggesting that providing an adequate amount of safe pedestrian space could help to renew and revitalize FiDi, NYC’s second biggest commercial center;<sup>24</sup> and
- WHEREAS: “If there’s one place in New York where it really makes sense to reclaim the vast majority of the space for pedestrians and people on bikes, it’s lower Manhattan,” said Transportation Alternatives spokesman Joe Cutrufo;<sup>25</sup> and
- WHEREAS: Planning for a successful Lower Manhattan Pedestrian Priority Street Study will require that a wide range of stakeholders, as convened by Polly Trottenberg in 2019, continue to be included. Some city agencies including the Department of Transportation (DOT), the New York Police Department (NYPD) and the Department of Sanitation (DSNY) as well as community groups including the Manhattan Community Board 1 (MCB1), the Downtown Alliance and the Financial District Neighborhood Association (FDNA) should be included; and
- WHEREAS: The DOT and the Department of Design and Construction (DDC) should start to work together immediately so that all FiDi projects can be coordinated in order to maximize the efforts and projects that can be used to further the process of prioritizing pedestrians. Relying solely on pilots and small scale changes only provides a piecemeal approach to change when viewing all projects in the context of a unified vision for the FiDi is what is needed; and
- WHEREAS: In 2019 the DOT spoke of funding a pilot project in FiDi, but it is clear that some bigger scale solutions, even if low-cost, are needed immediately to address

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<sup>23</sup><https://www1.nyc.gov/assets/home/downloads/pdf/office-of-the-mayor/2022/Mayor-Adams-Economic-Recovery-Blueprint.pdf>

<sup>24</sup> Kessler E. “ANALYSIS: Electeds Seek Much More than Piecemeal Pedestrianization on Broadway,” Streetsblog, July 12, 2022. <https://nyc.streetsblog.org/2022/07/12/analysis-electeds-seek-much-more-than-piecemeal-pedestrianization-on-broadway/>

<sup>25</sup> Colon D. “FiDi Commuting Habits Make Strong Case for Full Pedestrianization”, *Streetsblog*, 2020 <https://nyc.streetsblog.org/2020/08/12/fidi-commuting-habits-make-strong-case-for-full-pedestrianization/>

pedestrian safety and to begin implementing the long-envisioned neighborhood pedestrian mobility prioritization; and

WHEREAS: Curb usage needs to be rethought and reconfigured with parking, to allow competing uses on FiDi's narrow roads and sidewalks to be prioritized according to the specific needs of the immediate area, including parking, sanitation, etc.; and

WHEREAS: Freight delivery needs to be rethought. Incentives to use cargo bikes would help to right-size the vehicles to the scale of FiDi street grid. Cargo bike loading zones inside and distribution locales outside the grid are needed. In cases where delivery trucks are used, dedicated delivery bays – outside lanes for vehicular traffic, bicycle lanes, and sidewalks and pedestrian spaces – are a vital tool to achieving better street management and pedestrian prioritization, as one can visualize in the portion of the Downtown Alliance's "A More Welcoming Wall & Broad" plan which focuses on New Street; and

WHEREAS: Daylighting every street corner so that there is a clear line of vision between pedestrians, cyclists and vehicle drivers is essential. Painted sidewalk bump-outs especially if they are combined with bicycle infrastructure or a garbage corral in the adjacent parking lane could create the sight line while addressing other community needs; and

WHEREAS: Bicycle infrastructure is important since (1) over 20% of Lower Manhattan's workforce either walks or bikes to work, (2) over 30% of those living in Lower Manhattan walk or bike to work and (3) FiDi can be easily reached in 15 minutes or less by bicycle from most of Manhattan south of 23rd Street, as well as from key neighborhoods along waterfront Brooklyn;<sup>26</sup> and

WHEREAS: Private bicycle parking, including secured parking, and Citi Bike stations are essential to support and encourage this sustainable means of transportation; and

WHEREAS: The need to stop using the sidewalks for garbage pickups is a long-standing source of complaints that is illustrated on a Twitter account called the Trash Heaps of FiDi.<sup>27</sup> Garbage corrals in the parking lanes may be one immediate solution; and

WHEREAS: Creating a shared vision for FiDi's historic grid that can be used to guide future planning, construction and pilot projects is long-overdue. The current attention on pedestrian safety and priority should be used as the impetus to finally move forward with a neighborhood-wide plan; now

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<sup>26</sup> Downtown Alliance (2020) Bicycle Infrastructure & Commuting in Lower Manhattan, <https://downtownny.com/wp-content/uploads/2020/10/Lower-Manhattan-Bike-Report-2020.pdf>

<sup>27</sup> <https://twitter.com/fiditrash>

THEREFORE  
BE IT  
RESOLVED

THAT: Manhattan Community Board 1 (MCB1) insists that the New York City (NYC) Department of Transportation (DOT) work with all relevant NYC departments and agencies, as well as MCB1 and other community stakeholders:

- To account for the \$500,000 mobility study promised in 2019, including results of any studies or testing so far conducted;
- To develop of a vision for a Financial District (FiDi) streetscape that prioritizes pedestrian mobility and safety - while considering all stakeholders' needs and means of mobility,
- To make sure that all work done in FiDi be considered and coordinated in the context of how it could best further a neighborhood-wide plan before permits are issued and/or work is started; and

BE IT  
FURTHER  
RESOLVED

THAT: MCB1 implores the Manhattan Borough President, Mark Levine, and our NYC Council member, Christopher Marte:

- To make public pledge to support the creation or adoption of a community-wide plan that prioritizes pedestrians by increasing pedestrian safety and the space allocated to them, A better balance in how public space is used is needed; and
- To work with the DOT and other relevant city agencies and departments to implement changes, even low-cost installations, that will quickly advance some neighborhood-wide improvements; and

BE IT  
FURTHER  
RESOLVED

THAT: MCB1 urges Mayor Adams to support improving pedestrian safety and space in the Financial District as a way to revitalize NYC's second biggest commercial district.